## 

ClTYOF GAHANNA

Application for Variance
City of Gahanna, Ohio e Planning Commission
200 S. Hamilton Road, Gahanna, OH 43230 ■ Phone: (614) 342-4025 a Fax: (614) 342-4117
*REQUIRED INFORMATION: All correspondence will be addressed to the applicant. Planning Commission members or City staff may conduct a site visit prior to a Planning Commission Public Hearing.
*Applicant Name: City of Gahanna *Phone: 342-4259
*Applicant Address: 200 S. Hamilton Road
*Applicant Email: troy.euton@gahanna.gov
*Applicant's Relationship to Project: Land Owner: $\square$ Option Holder: $\square$ Cont. Purchaser: $\square$ Agent: $\square$
*Property Owner Name: City of Gahanna
*Property Owner Address: 200 S. Hamilton Road
*Contact Name: Troy Euton
*Fax: 342-4359
*Phone: $\qquad$
*Fax:
*Email: $\qquad$
*Address for Requested Variance: 220 Olde Ridenour Road, Gahanna, Ohio
*Parcel ID\#: $025-00108500 \quad{ }^{*}$ Current Zoning: 063
*Description of Variance Requested: To install a 10 ' tall chain link fence to provide trail users protection from errant golf shots on the proposed bike trail.

*SUBMISSION REQUIREMENTS: Applications are not complete until all submission requirements are received and accepted by the Planning and Zoning Administrator.

1. Two (2) $11^{\prime \prime} \times 17^{\prime \prime}$ copies of a survey and legal description of the property certified by a registered surveyor.
2. One (1) digital copy of completed application and associated documents.
3. A list of contiguous property owners and their mailing addresses.
4. Pre-printed mailing labels for all contiguous property owners.
5. A statement of the reasons) for the Variance request. The statement must address the three (3) conditions listed on page 2 of this application in order for Planning Commission to grant approval for the Variance.
6. Application Fee of $\$ 150$ for Single-Family Residential Districts and $\$ 300$ for all other Zoning Districts.
*PLANNING AND ZONING ADMINISTRATOR REVIEW AND APPROVAL:
Code Section sobs varied: $1171.03(a)$ to allow a fence to exceed col in height.
Description of the governing code and the requested variance:

$$
\begin{aligned}
& \text { In accordance with Section } 1131 \text { of the Codified Ordinances of the City of Gahanna, Ohio, I hereby certify that this project, as stated } \\
& \text { above, was for approved by the City of Gahanna Planning Commission on } \\
& \text { conditions approved by the Planning Commission and shall comply with all building, zoning and landscaping regulations now in place. }
\end{aligned}
$$

Planning \& Zoning Administrator's Signature: $\qquad$ Date: $\qquad$

## For Internal Use:

SunGard File No.
PC File No.


Public Hearing Date: $\qquad$
(Received)
$6 / 17 / 15$
(Paid)

(Accepted by PZA)

[^0](Paid) N/VT

## CHAPTER 1131 - VARIANCES

### 1131.04 PUBLIC HEARING.

At such hearing the applicant shall present a statement and adequate evidence, in such form as the Planning Commission may require, and the Planning Commission shall not grant a variance unless it finds that all of the following conditions apply to the case in question:
(a) There are special circumstances or conditions applying to the land, building or use referred to in the application.
(b) The granting of the variance is necessary for the preservation and enjoyment of substantial property rights.
(c) The granting of the application will not materially affect adversely the health or safety of persons residing or working in the neighborhood of the proposed use and will not be materially detrimental to the public welfare or injurious to property or improvements in such neighborhood.

CITY OF GAHANNA

## City of Gahanna

## Department of Parks \& Recreation

Big Walnut Trail, Section 5
Fence Variance

### 1134.04 Public Hearing Questions

a) The special circumstances and condition that apply to this property relates to the properties primary use as a golf course. On any golf course errant shots are common place, thus, in exercising our due diligence to protect both golfers and trail users, it was determined that a ten feet high fence would be required. This provides for smooth coexistence for both recreational groups by addressing three main points.

1. The fence will protect trail users from having a direct hit from a golf ball when a golfer hits an errant shot.
2. The fence will keep trail users on the path, prohibiting them from entering onto the golf course to interfere with play for a majority of the trail length.
3. The fence will keep golfers from entering onto the multi-use trail where motorized vehicles are prohibited, except for official business.
b) This variance is absolutely necessary to provide continued use of the park as a golf course, while providing for the multi-use trail. While we wish the trail didn't have to go through the golf course, it has proven to be the only real viable alternative of the four alternatives evaluated for this section of the Big Walnut Trail. While we don't like impacting our golf community with a change on the perimeter of the course, which many find disruptive, we have to stay the course in providing our community with the citizens number one requested recreational amenity: Trails and connectivity throughout the city.
c) This application will not adversely affect the health or safety of persons residing or working in the neighborhood. In fact, this application will provide better protection and safety for walkers, bikers and joggers using Olde Ridenour Road than exists today without the trail project and fencing.


RESIDENT
151 RUGBY LN GAHANNA OH 43230

RESIDENT
155 GOTHIC CT
GAHANNA OH 43230

RESIDENT
169 GOTHIC CT
GAHANNA OH 43230

RESIDENT
137 SCOTTSBURY CT
GAHANNA OH 43230

RESIDENT
305 OLDE RIDENOUR RD
GAHANNA OH 43230

RESIDENT
375 MILL ST
GAHANNA OH 43230

RESIDENT
157 GOTHIC CT
GAHANNA OH 43230

MIFFLIN TOWNSHIP 155 OLDE RIDENOUR RD GAHANNA OH 43230

RESIDENT
145 SCOTTSBURY CT GAHANNA OH 43230

THE WOODS AT PARKSIDE 349 OLDE RIDENOUR RD GAHANNA OH 43230

RESIDENT
395 MILL ST
GAHANNA OH 43230

RESIDENT
153 GOTHIC CT
GAHANNA OH 43230

RESIDENT
167 GOTHIC CT
GAHANNA OH 43230

## RESIDENT

138 SCOTTSBURY CT
GAHANNA OH 43230

## RESIDENT

295 OLDE RIDENOUR RD
GAHANNA OH 43230

GEORGE \& VIVIAN PARKER
106 SHORT STREET
GAHANNA OH 43230

RESIDENT
150 RUGBY LN
GAHANNA OH 43230


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THE CAHMEA INVESTMENS CUUE, INC., al Oisio COrporation
(1). of Franixlin

County. Ohio
for voluable consideration paid, grants(s) io CITY OF GALAMM
whose tox-mailing address is
200 S. Hemilton Ruad, Gahanna, Ohio 43230
the following REAL PROPERTY: Situoted in the County of
Franklin
in the Stote
of Ohio and in the City of Gahama $;$ mo

See attached legal description
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JUN 41992


Prior Instrument Reference: Vol, 3252 Poge 74 of the Deed Records of Fratiklin
County, Ohio. The Galamiled livesstment Club, linc., by
Grantor releases all rights of dower therein. Witness uur hand(s) this ip9 day of MMy, 1992.

(3)

AE IT REMEMBERED, That on this o39 doy of May. 19 92, before me. the subscriber. a Nutary publify in and for soid county, personally came.


IN TESTIMONY THEREQE thourg hereyntorubscribed my name and offixed my seal on this day and year aforesaid.

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NOT NECESSARY
JUN 21992
ROEEFAV YESTA
FRAPSKLINCOJVTV OHO

## 19601009

## EXHIBIT "A"

## LEGAL DESCRIPTION

Being part of Lot No. 7, of the John F. Convoy Heirs" subdivision of record in Plat rook 19. Page 34, ali references being recorded in Recorder's office, Franklin County, Ohio, and bounded and described as follows:

Beginning at a railroad spike where the centerline of McCutcheon Road intersects the centerline of Pidencur Road;
thence along the centerline of said Ridenour Road North $0^{\circ} 50^{\circ}$ East, 593.80 feet to an angle point in said road;
thence continuing along the centerline of said Ridenour Road, north $36^{\circ} 24^{\circ}$ West, 339.10 feet to a railroad spike at an angelic point in said road;
thence continuing along the centerline of the said Ridonour Road, North $3^{\circ} 0^{\circ}$ hest, 153.70 feet to a point at the southwesterly corner of 4 one ( 1 ) acre tract;
thence along a southerly line of the said one (1) acre tract North $47^{\circ} 35^{\prime}$ East, 505.71 feet to a point in the centerline of Big Walnut Creek:
thence along the centerline of the said: Big Walnut creek and the meanders thereof the following courses and distances; South 81. $21^{\circ}$ East, 325 feat to a point, South $30^{\circ} 29^{\circ} 57^{\prime \prime}$ East, 476.11 fest to a point. South $17^{\circ} 21^{\prime}$ East, 435 feet to a point, south $5^{\circ} 9^{\circ}$ West, 470 feet to a point in the centerline of the said McCutcheon Road:
thence North $86^{\circ} 21^{\prime}$ West, 760.70 feet to the point of beginning containing 23.014 acres, more or less.

Subject to the right-of-way for tine easterly one-half of Ridenour road and north one-half of Mecutcheon Road, dedicated by the Plat of the said John F. Convoy Heirs ${ }^{\circ}$ Subdivision.

The above legal description was taken from the prior deed of reference Volume 3252, page 74.




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SITE PLAN
Big Walnut Trail - Segment $\left.5\right|_{\text {оанамna, оно }}$






CITY OF GAHANNA

## STAFF COMMENTS

Project Name: Golf Course Fence
Project Address: 220 Olde Ridenour Rd.
Section 5 of the Big Walnut Trail is the sixth of nine sections to be built. This section is 4,200 lineal feet. It will traverse along Olde Ridenour Road and the golf course from the bridge over Big Walnut Creek at Creekside Island northerly to Rivers Edge Drive. This section of the BWT is particularly challenging given the limited space, floodway and golf activities with which to contend. Four alternatives have been studied over the past several years by two different engineering firms and two different city engineers.

The 10 ' high chain link fence, being requested to construct in this variance, is a necessary protective measure to ensure trail users are protected from errant golf balls. The fence is a special golf 1 " $x 1^{\prime \prime}$ weave that a golf ball cannot pass through. This type of fencing is commonly used for pedestrian protection near golf courses across the country. Locally this design was used by Columbus Recreation and Parks on the Alum Creek Trail at Bridgeview Golf Course on Agler Road (which has since been sold).

There has been some concern raised by the golf community and sleigh riders about this project and the fence. The trail and fence will prevent sleigh riding at the golf course as some have done in the past. While the Gahanna Department of Parks and Recreation haven't restricted sleigh riding, it hasn't promoted the use of this hill as there are concerns relative to sledding hill standards.

On the golf side of the project we have conducted operational and legal research to address concerns brought forward by some of the golf community. We are convinced this sharing of space, which has been done many times nationwide, will not be a significant issue for either user group.

Trails and connectivity have continued to be the community's number one infrastructure priority survey after survey. We sometimes have to balance an impact to other recreational amenities to provide for the progress of the citizens top priority.


## CITYOF GAHANNA

Respectfully Submitted By: Troy Euton, Director, Department of Parks and Recreation


CITY OF GAHANNA
STAFF COMMENTS

Project Name: Golf Course Fence
Project Address: 220 Old Ridenour Rd.

No comments other them the negvinement for a building permit for the fence.

Respectfully Submitted By:
Kenneth w. Falter
Chief Building official



## STAFF COMMENTS

Project Name: Golf Course Fence
Project Address: 220 Olde Ridenour Rd.


Respectfully Submitted By:



## STAFF COMMENTS

Project Name: Golf Course Fence
Project Address: 220 Olde Ridenour Rd

## Planning and Development

The property subject to the variance is located within the OG-3 (Olde Gahanna Recreation) zone district. The purpose of this district is to preserve natural amenities around the Big Walnut Creek and to maintain green spaces for both active and passive recreational activities.

Goals and objectives of the Olde Gahanna Design Guidelines include emphasizing the pedestrian experience by incorporating pedestrians with the natural features of the area.

The request to allow a $10^{\prime}$ tall chain link fence is necessary as the Parks Department is attempting to enhance the pedestrian experience by connecting property on the east and west side of the Big Walnut Creek via a 10' wide multi-purpose path. The placement of the path will run in and around a portion of the golf course. The applicant provides that the variance is necessary in order to ensure a safe experience on the multi-purpose path.

Site Plan


CITY OF GAHANNA

Aerial Map


It is staff's opinion that the variance meets the criteria of 1131.04 as the applicant has demonstrated that a special circumstance exists with the condition of land; the variance is necessary for preservation of and enjoyment of property rights; and the request will not adversely affect the health or safety of persons residing or working in the neighborhood. In fact, the variance is being requested in an effort to ensure that pedestrians and golfers are able to coexist in the safest manner possible.

Respectfully Submitted By:
Michael Blackford



# CITY OF G A H A N N A 

## STAFF COMMENTS

Project Name: Golf Course Fence<br>Project Address: 220 Olde Ridenour Rd.

The applicant seeks a variance to allow a fence height greater than 6'. This fence is being erected in conjunction with Big Walnut Trail Segment 5.
(a) Fences shall not exceed six feet ( 6 ') in height except those which enclose athletic fields and courts, or define secure areas for the storage of public property, which shall not exceed twelve feet (12'), or provide a secure area in the Office, Commerce and Technology District, which shall not exceed ten feet ( $10^{\prime}$ ).

### 1171.05 VARIANCES AND APPEALS.

(a) Variance Procedure.
(1) The standard for granting a variance which relates solely to area requirements is a lesser standard than that applied to variances which relate to use. An application for an area variance need not establish unnecessary hardship: it is sufficient that the application show practical difficulties.
In determining whether a property owner seeking an area variance has encountered practical difficulties, Planning Commission shall consider and weigh the following factors:
A. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance;
B. Whether the variance is substantial;
C. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance;
D. Whether the variance would adversely affect the delivery of governmental services (e.g., water, sewer, refuse);
E. Whether the property owner purchased the property with the knowledge of the zoning restriction;
F. Whether the property owner's predicament feasibly can be obviated through some method other than a variance;
G. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance;
H. Whether the fence is sufficiently compatible with the architectural and design character of the immediate neighborhood; and
I. Whether the fence will be hazardous to passing traffic or otherwise detrimental to the public safety and welfare.
(2) In granting such variance, the Planning Commission may specify the size, type and location of the fence, and impose such other reasonable terms, restrictions and conditions as it may deem to be in the public interest.


## CI TY OF GA HA N NA

(b) Appeals. Any person affected by any decision of the Planning and Zoning Administrator or the Planning Commission made pursuant to this chapter may file an appeal with the Board of Zoning and Building Appeals.
(Ord. 0112-2009. Passed 5-18-09.)

Respectfully Submitted By:



[^0]:    Revised 10-1-2014/cas

